

PROB 12C  
(6/16)

Report Date: September 9, 2024

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Sep 09, 2024**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Oscar Tristan Rodriguez Case Number: 0980 2:19CR00056-TOR-1

Address of Offender: [REDACTED] Warden, Washington 98857

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: November 19, 2020

Original Offense: Possession with Intent to Distribute Methamphetamine, 21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii)

Original Sentence: Prison - 60 months; Type of Supervision: Supervised Release  
TSR - 60 months

Asst. U.S. Attorney: Caitlin A. Baunsgard Date Supervision Commenced: June 2, 2023

Defense Attorney: Amy Rubin Date Supervision Expires: Tolling

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**PETITIONING THE COURT**

**Please note: The original petition was filed with the Court on July 12, 2024. On that same day, a warrant was issued and served on Mr. Rodriguez. The purpose of this report is to amend the reassigned judge and counsel, the grade of violation, and the statutory and guideline provisions.**

On June 5, 2023, Mr. Rodriguez reported to the U.S. Probation Office in Richland, Washington. At that time, supervised release conditions were reviewed with Mr. Rodriguez. He signed his judgment, acknowledging an understanding of his conditions and was provided a copy.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<b><u>Mandatory Condition #1:</u></b> You must not commit another federal, state or local crime.
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**Supporting Evidence:** Mr. Rodriguez is considered in violation of his term of supervised release by being charged on or about July 11, 2024, with unlawful possession of a firearm by a convicted felon, a violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8).

According to the criminal complaint filed on July 11, 2024, in U.S. District Court in the Eastern District of Washington, case 2:24MJ00424-ACE-1, in Grant County, Washington, agents contacted Mr. Rodriguez for the execution of a search warrant. Mr. Rodriguez consented to the search of the vehicle he was driving. In a lunch box type container, agents located a loaded Smith & Wesson model SW40VE .40 S&W caliber pistol with an obliterated serial number. Also in the lunch box was a pill bottle with Mr. Rodriguez' name on it. In the center console of the vehicle, agents also located four rounds of .40 caliber

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ammunition. In a post-Miranda statement, Mr. Rodriguez admitted to possessing the firearm. Mr. Rodriguez was indicted and the docket number for this charge is 2:24CR00098-TOR-1.

2      **Mandatory Condition #2:** You must not unlawfully possess a controlled substance. You must refrain from any unlawful use of a controlled substance, including marijuana, which remains illegal under federal law.

**Supporting Evidence:** Mr. Rodriguez is considered in violation of his term of supervised release by consuming marijuana on or about June 28, 2024.

On June 28, 2024, Mr. Rodriguez reported to the probation office and submitted to a drug test. He admitted he would be positive for marijuana and had been using it regularly to help with his anxiety. Mr. Rodriguez submitted a urine sample, which was sent to the national laboratory for confirmation and to track levels. On July 6, 2024, confirmation was received from the laboratory, Abbott, confirm the sample was positive for marijuana.

The U.S. Probation Office respectfully recommends the Court accept the amended petition to replace the original report, dated July 12, 2024.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:      September 9, 2024

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s/SanJuanita B. Coronado

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SanJuanita B. Coronado  
Supervisory U.S. Probation Officer

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THE COURT ORDERS

☐ No Action  
☐ The Issuance of a Warrant  
☐ The Issuance of a Summons  
☒ Other: **This petition replaces the  
petition at ECF No. 79.**



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Thomas O. Rice  
United States District Judge  
September 6, 2024

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Date